

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Walter P. Carney et al.
Serial No. : 08/488,180 Examiner: S.J. Huff
Filed : June 7, 1995 Group Art Unit: 1642
For : DETECTION AND QUANTIFICATION OF NEU RELATED
PROTEINS IN THE BIOLOGICAL FLUIDS OF HUMANS.

1185 Avenue of the Americas
New York, New York 10036
February 3, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Mail Stop AF

Sir:

AMENDMENT

This Amendment is submitted as a first submission along with a Communication Requesting Withdrawal of Finality Under 37 C.F.R. §1.129 of the June 6, 2003 Final Office Action and Consideration of First Submission in connection with the above-identified application. A Notice of Appeal was filed December 5, 2003, making the subject application pending today, February 5, 2004. Accordingly, this Amendment is being timely filed.

Image AF/1642 \$

Dkt. 1935/40441-C1Y/JPW/AJM/CY

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Examiner: S.J. Huff

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S I R:

Transmitted herewith is an amendment to the above identified application.

_____ Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been established by a verified statement previously submitted.

_____ A verified statement to establish small entity status under 37 C.F.R. §1.9 and §1.27 is enclosed.

X No additional fee is required.

The filing fee is calculated as follows:

	NUMBER AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR		NUMBER OF EXTRA CLAIMS PRESENTED		RATE			FEE	
							SMALL ENTITY	OTHER ENTITY		SMALL ENTITY	OTHER ENTITY
Total Claims	12	-	20	=	0	X	\$9	\$18	=	\$0	\$0
Independent Claims	3	-	3	=	0	X	\$42	\$84	=	\$0	\$0
Multiple Dependent Claim(s) Presented _____ Yes <u> X </u> No For First Time							\$140	\$280	=	\$0	\$0
							TOTAL ADDITIONAL FEE			\$0	

*If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

**If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.

***If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than "0", write "0" in the space.

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The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest of the "NUMBER AFTER AMENDMENT" in any prior amendment of the number of claims as originally filed

_____ Please charge Deposit Account No. 03-3125 in the amount of \$_____. Three copies of this sheet is enclosed.

_____ A check in the amount of \$_____ is enclosed.

X The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposition Account No. 03-3125. Three copies of this sheet are enclosed.

X Any filing fees under 37 C.F.R. §1.16 for the presentation of extra claims.

X Any patent application processing fees under 37 C.F.R. §1.17.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited this date with the U.S. postal Service with sufficient postage as first class mail in an envelope addressed to:
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Alan J. Morrison
Reg. No. 37,399

2/5/07
Date